

FILED

THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEB 11 2014

MB
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Alfred Robert Gerebizza) Case No. 1:10cr651-2
Demandant, Beneficiary)
Secured Party)
v)
UNITED STATES,) James B Zagel
Madeleine Murphy, Paul)
Camarena, S.M. Kuta)
alleged warden)
Respondants)

NOTICE OF APPEAL

Notice is hereby given that Alfred Robert Gerebizza, Secured Party, Beneficiary is appealing the decision given by James B Zagel in the hearing on January 27th, 2014 concerning including but not limited to, application for Writ inclusive of its attachments, addendum, and unrebutted record filed with the Clerk of the Court on January 13, 2014, docket No.212.

Without Prejudice U.C.C. 1-308

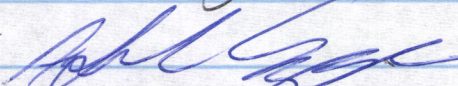
BY: 

ALFRED GEREBIZZA

Certificate of Service
Case 10 cr 651-2
Appeals 12-1070

This is to Certify, that I Alfred Robert Gerebizza, have sent through the UNITED STATES mail service on February 6th 2014, Notice of Appeal to the following respondents.

1. Clerk of the Court
219 South Dearborn
Chicago Illinois
2. Office of the Clerk
Appellate Court
219 South Dearborn
Chicago Illinois
3. Madeline Murphy
219 South Dearborn
Chicago Illinois
4. Paul Camarena
500 South Clinton
Chicago Illinois

Without Prejudice u.c.c 1-308
By: 
ALFRED GEREBIZZA

Legal Mail

6060481702

Thomas G. Bruton
Clerk of the Court
219 South Dearborn
Chicago Illinois
[60604]

[illegible]

2014 FEB 11 PM 3:26

RECEIVED

07 FEB 2014 PM 5 L



SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 10 cr 651-2

PLAINTIFF (Petitioner)

v.

DEFENDANT (Respondent)

USA/appellee	Gerebizza/appellant
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(Use separate sheet for additional counsel)

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name	Molly Armour	Name	Alfred Gerebizza
Firm	Law Office of Molly Armour	Firm	Pro Se #63188-019
Address	4050 N. Lincoln Avenue Chicago, IL 60018	Address	Metropolitan - MCC 71 West Van Buren Street Chicago, IL 60605
Phone	(773) 746-4849	Phone	

Other Information			
District Judge	Zagel	Date Filed in District Court	2/10/2011
Court Reporter	L. Blanca	Date of Judgment	1/31/2014
Nature of Suit Code		Date of Notice of Appeal	2/11/2014

COUNSEL:

Appointed

☐

Retained

☐

Pro Se

☒

FEE STATUS:

Paid

☐

Due

☐

IFP

☐

IFP Pending

☐

U.S.

☐

Waived

☒

Has Docketing Statement been filed with the District Court Clerk's Office?

Yes

☐

No

☒

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted

☐

Denied

☐

Pending

☐

If Certificate of Appealability was granted or denied, date of order:

If defendant is in federal custody, please provide U.S. Marshall number (USM#):

IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.1
Eastern Division**

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No.: 1:10-cr-00651
Honorable James B. Zagel

Daniel Spitzer, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, January 27, 2014:

MINUTE entry before the Honorable James B. Zagel: As to Defendants Daniel Spitzer (1) and Alfred Gerebizza (2): Status hearing held. Defendant Gerebizza's Writ of Replevin is denied for the reasons stated on the record. Oral motion to remove the restriction on Defendant's Private Indemnity Bond [189] is granted. The Clerk is directed to remove the restriction on document no. 189. Pretrial conference set for 5/19/14 is stricken and reset to 6/30/14 at 3:30 p.m. Trial set for 5/27/14 is stricken and reset to begin on 7/14/14 at 10:30 a.m. Status hearing set for 3/27/14 is stricken and reset to 6/12/14 at 12:00 p.m. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 1/27/14 to 7/14/14. Mailed notice (ep,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.

APPEAL

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 6,1 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:10-cr-00651-2
Internal Use Only

Case title: USA v. Spitzer et al

Date Filed: 02/10/2011

Assigned to: Honorable James B. Zagel

Appeals court case number: 12-1070
7th Circuit**Defendant (2)****Alfred Gerebizza**

represented by **Alfred Gerebizza**
#63188-019
Metropolitan - MCC
71 West Van Buren Street
Chicago, IL 60605
PRO SE

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500 S. Clinton
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Email:
paulcamarena@paulcamarena.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Thomas A. Mcgettrick , Jr.
Thomas Mcgettrick, Atty At Law
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1210
Chicago, IL 60640
(312) 564-5211
Email: tmcgettrick@dlhlawoffices.com
TERMINATED: 11/07/2012
Designation: CJA Appointment

Pending CountsFRAUDS AND SWINDLES
(1-10)**Disposition**

FRAUD AND FALSE STATEMENTS
(11-16)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Jason A. Yonan**

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219 South Dearborn Street
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Madeleine Sullivan Murphy

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

AUSA

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ATTORNEY TO BE NOTICED

Pretrial Services


(312) 435-5793
Email:
ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov


ATTORNEY TO BE NOTICED

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Email: Jessica.Romero2@usdoj.gov
ATTORNEY TO BE NOTICED




Date Filed	#	Docket Text
09/28/2011	63	SUPERSEDING INDICTMENT as to Daniel Spitzer (1) count(s) 1s-10s and Alfred Gerebizza (2) count(s) 1-10, 11-16. (cdy,) (Entered: 10/14/2011)
09/28/2011	65	DESIGNATION Sheet: FELONY (Category 3). (cdy,) (Entered: 10/14/2011)
09/28/2011	66	MINUTE entry before the Honorable Susan E. Cox as to Daniel Spitzer and Alfred Gerebizza: Bond set in 10cr651 to stand as bond in this instance as to Daniel Spitzer. To issue bench warrant. The Government will seek to have the defendant detained without bond pursuant to Title 18, United States Code, Section 3142 as to Alfred Gerebizza. The District Court Clerk's Office is directed to disclose the Assistant U.S. Attorney assigned to this case for the Government, the name of the Judge, Magistrate Judge and the Docket Number assigned to this case in order to expedite arraignment of the arrested defendant. This information is to remain sealed until the arrest of the warrant or by further order of the Court. Do Not Seal Arrest Warrant. Mailed notice (cdy,) (Entered: 10/14/2011)
10/04/2011		ARREST of defendant Alfred Gerebizza (las,) (Entered: 10/14/2011)
10/11/2011	67	RULE 5(c)(3) Documents Received as to Alfred Gerebizza (las,) (Entered: 10/14/2011)
10/11/2011	68	ORIGINAL FINANCIAL Affidavit filed in Northern District of Georgia by Alfred Gerebizza (SEALED) (las,) (Entered: 10/14/2011)
10/25/2011	69	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, arraignment set for 10/26/2011 at 10:30 AM. Mailed notice (drw,) (Entered: 10/25/2011)
10/25/2011	70	ATTORNEY Appearance for defendant Alfred Gerebizza by Paul

		Camarena (Camarena, Paul) (Entered: 10/25/2011)
10/26/2011	79	MINUTE entry before the Honorable James B. Zagel as to Alfred Gerebizza: Arraignment held. Defendant enters a plea of not guilty to the indictment. Rule16 conference deadline 11/3/2011. Pretrial motion deadline 11/28/2011. Status hearing set for 12/6/2011 at 10:00 a.m. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 10/26/2011 to 12/6/2011. Mailed notice (las,) (Entered: 11/07/2011)
10/30/2011	71	MOTION by Alfred Gerebizza for release from custody <i>Pretrial</i> (Camarena, Paul) (Entered: 10/30/2011)
10/30/2011	72	NOTICE of Motion by Paul Camarena for presentment of motion for release from custody 71 before Honorable James B. Zagel on 11/3/2011 at 10:15 AM. (Camarena, Paul) (Entered: 10/30/2011)
10/31/2011	73	MOTION by Alfred Gerebizza to supplement MOTION by Alfred Gerebizza for release from custody <i>Pretrial</i> 71 (Camarena, Paul) (Entered: 10/31/2011)
10/31/2011	74	NOTICE of Motion by Paul Camarena for presentment of motion to supplement 73 before Honorable James B. Zagel on 11/3/2011 at 10:15 AM. (Camarena, Paul) (Entered: 10/31/2011)
11/01/2011	75	MOTION by Alfred Gerebizza to supplement MOTION by Alfred Gerebizza for release from custody <i>Pretrial</i> 71 (<i>second supplement</i>) (Camarena, Paul) (Entered: 11/01/2011)
11/02/2011	76	MOTION by USA for disclosure as to Alfred Gerebizza <i>of tax returns and tax return information</i> (Murphy, Madeleine) (Entered: 11/02/2011)
11/02/2011	77	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of motion for disclosure 76 before Honorable James B. Zagel on 11/3/2011 at 10:15 AM. (Murphy, Madeleine) (Entered: 11/02/2011)
11/02/2011	78	RESPONSE by USA as to Alfred Gerebizza regarding MOTION by Alfred Gerebizza for release from custody <i>Pretrial</i> 71 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Murphy, Madeleine) (Entered: 11/02/2011)
11/03/2011	80	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, motion hearing held on 11/3/2011. Motion for disclosure of tax returns 76 is granted Motions for release from custody 71 73 75 are denied without prejudice for the reasons stated in open court. Mailed notice (drw,) (Entered: 11/07/2011)
11/14/2011	81	THIRD supplement by Alfred Gerebizza to his motion for pretrial release (Attachments: # 1 Exhibit 1 (certificate of marriage), # 2 Exhibit 2 (family residential utility statement); Notice 71 (Camarena, Paul) Text Modified by Clerk's Office on 11/15/2011 (las,). (Entered: 11/14/2011)
11/18/2011	82	MINUTE entry before the Honorable James B. Zagel:As to Daniel Spitzer, Alfred Gerebizza, status hearing (12-6-2011) is reset for 12/8/2011 at 10:00 AM. Order time excluded in the interest of justice

		pursuant to 18:3161(h)(7)(A) from 12/6/2011 to 12/8/2011. Mailed notice (drw,) (Entered: 11/18/2011)
11/22/2011	83	MOTION by Alfred Gerebizza to supplement MOTION by Alfred Gerebizza for release from custody <i>Pretrial</i> 71 (Camarena, Paul) (Entered: 11/22/2011)
11/22/2011	84	NOTICE of Motion by Paul Camarena for presentment of motion to supplement 83 before Honorable James B. Zagel on 11/29/2011 at 10:15 AM. (Camarena, Paul) (Entered: 11/22/2011)
11/23/2011	 88	ARREST WARRANT returned executed as to Alfred Gerebizza on 10/4/11 (las,) (Entered: 11/29/2011)
11/28/2011	85	MINUTE entry before the Honorable James B. Zagel:Motion to supplement motion for pretrial release 83 is granted as to Alfred Gerebizza. Notice of motion hearing 11/29/2011 is stricken. Mailed notice (drw,) (Entered: 11/28/2011)
11/28/2011	86	MOTION by Alfred Gerebizza for release from custody (Camarena, Paul) (Entered: 11/28/2011)
11/28/2011	87	NOTICE of Motion by Paul Camarena for presentment of motion for release from custody 86 before Honorable James B. Zagel on 12/1/2011 at 10:15 AM. (Camarena, Paul) (Entered: 11/28/2011)
12/01/2011	93	MINUTE entry before the Honorable James B. Zagel:Motion hearing held on 12/1/2011. Motion for release from custody 86 is denied as to Alfred Gerebizza for the reasons stated in open court. Mailed notice (drw,) (Entered: 12/12/2011)
12/08/2011	95	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 12/8/2011. Pretrial motion deadline extended to 12/22/2011. Bond hearing set for 12/13/2011 at 10:00 AM., Status hearing set for 1/12/2012 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 12/8/2011 to 1/12/2012.Mailed notice (drw,) (Entered: 12/12/2011)
12/12/2011	96	MOTION by Alfred Gerebizza for release from custody (Camarena, Paul) (Entered: 12/12/2011)
12/12/2011	97	NOTICE of Motion by Paul Camarena for presentment of motion for release from custody 96 before Honorable James B. Zagel on 12/13/2011 at 10:00 AM. (Camarena, Paul) (Entered: 12/12/2011)
12/12/2011	98	RESPONSE by USA as to Alfred Gerebizza regarding MOTION by Alfred Gerebizza for release from custody 96 (Attachments: # 1 Exhibit A)(Murphy, Madeleine) (Entered: 12/12/2011)
12/12/2011	99	REPLY by Alfred Gerebizza to response to motion 98 (Camarena, Paul) (Entered: 12/12/2011)
12/12/2011	100	<i>Reply Notice</i> NOTICE of Motion by Paul Camarena for presentment of before Honorable James B. Zagel on 12/13/2011 at 10:00 AM.

		(Camarena, Paul) (Entered: 12/12/2011)
12/13/2011	<u>102</u>	MINUTE entry before the Honorable James B. Zagel:Bond hearing held on 12/13/2011. Motion for release from custody <u>96</u> is denied as to Alfred Gerebizza for the reasons stated in open court. Mailed notice (drw,) (Entered: 12/23/2011)
12/18/2011	 <u>101</u>	MOTION by Alfred Gerebizza for discovery (Camarena, Paul) (Entered: 12/18/2011)
01/08/2012	<u>106</u>	MOTION by Alfred Gerebizza to appoint counsel (Camarena, Paul) (Entered: 01/08/2012)
01/08/2012	<u>107</u>	NOTICE of Motion by Paul Camarena for presentment of motion to appoint counsel <u>106</u> before Honorable James B. Zagel on 1/12/2012 at 10:00 AM. (Camarena, Paul) (Entered: 01/08/2012)
01/10/2012	<u>108</u>	NOTICE OF APPEAL by Alfred Gerebizza regarding order on motion for release from custody,, terminate hearings, bond hearing, terminate motions <u>102</u> (Camarena, Paul) (Entered: 01/10/2012)
01/11/2012	<u>109</u>	NOTICE of Appeal Due letter sent to counsel of record (dj,) (Entered: 01/11/2012)
01/11/2012	<u>110</u>	Transmission of short record as to Alfred Gerebizza to US Court of Appeals re notice of appeal <u>108</u> (dj,) (Entered: 01/11/2012)
01/11/2012	<u>111</u>	USCA case number as to Alfred Gerebizza 12-1070 for notice of appeal <u>108</u> (las,) (Entered: 01/12/2012)
01/12/2012	<u>115</u>	MINUTE entry before the Honorable James B. Zagel:As to Daniel Spitzer, Alfred Gerebizza, status hearing held on 1/12/2012. Status hearing set for 2/27/2012 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 1/12/2012 to 2/27/2012.Mailed notice (drw,) (Entered: 02/07/2012)
01/17/2012	<u>112</u>	MOTION by Alfred Gerebizza for extension of time <i>to file notice of appeal</i> (Camarena, Paul) (Entered: 01/17/2012)
01/17/2012	<u>113</u>	NOTICE of Motion by Paul Camarena for presentment of motion for extension of time <u>112</u> before Honorable James B. Zagel on 1/24/2012 at 10:15 AM. (Camarena, Paul) (Entered: 01/17/2012)
01/24/2012	<u>117</u>	MINUTE entry before the Honorable James B. Zagel:Motion hearing held on 1/24/2012. Motion for extension of time until 2/6/2012 to file notice of appeal denying release on bond <u>112</u> is granted as to Alfred Gerebizza. Mailed notice (drw,) (Entered: 02/22/2012)
02/01/2012	<u>114</u>	CERTIFIED and transmitted the long record regarding notice of appeal <u>108</u> as to Alfred Gerebizza to US Court of Appeals (USCA no. 12-1070). (dj,) (Entered: 02/01/2012)
02/14/2012	<u>116</u>	NOTICE of conditional acceptance of attorney as to Alfred Gerebizza (las,) (Entered: 02/16/2012)

02/22/2012	<u>118</u>	MOTION by Alfred Gerebizza to appoint counsel (Camarena, Paul) (Entered: 02/22/2012)
02/22/2012	<u>119</u>	NOTICE of Motion by Paul Camarena for presentment of motion to appoint counsel <u>118</u> before Honorable James B. Zagel on 2/27/2012 at 10:00 AM. (Camarena, Paul) (Entered: 02/22/2012)
02/22/2012	<u>121</u>	NOTICE of tender for setoff and request regarding a statement of account as to Alfred Gerebizza (Attachments: # <u>1</u> Exhibit)(las,) (Entered: 02/27/2012)
02/27/2012	<u>122</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 2/27/2012. motion to appoint counsel <u>106</u> is granted. Motion to appoint counsel nun pro tunc October 14, 2011 <u>118</u> is granted Pretrial Conference set for 3/16/2012 at 11:00 AM. Status hearing set for 3/27/2011 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 2/27/2012 to 3/27/2012. Mailed notice (drw,) (Entered: 02/27/2012)
03/07/2012	<u>123</u>	NOTICE of fault-opportunity to cure as to Alfred Gerebizza (las,) (Entered: 03/09/2012)
03/07/2012	<u>124</u>	NOTICE of of fault-opportunity to cure "Final Expression in a Record" as to Alfred Gerebizza (las,) (Entered: 03/09/2012)
03/16/2012	<u>125</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, pretrial conference held on 3/16/2012. Pro Se appearance taking under advisement after further admonishment in open court. Mailed notice (drw,) (Entered: 03/16/2012)
03/19/2012	<u>126</u>	NOTICE of default in dishonor consent to judgment as to Alfred Gerebizza (Exhibits) (las,) (Entered: 03/21/2012)
03/21/2012	<u>127</u>	NOTICE of Forgive me request constructive notice of conditional acceptance and request to continue public proceedings as to Alfred Gerebizza (Exhibits) (las,) (Entered: 03/23/2012)
03/26/2012	<u>128</u>	MOTION by USA to exclude time pursuant to the Speedy Trial Act as to Daniel Spitzer, Alfred Gerebizza (Murphy, Madeleine) (Entered: 03/26/2012)
03/27/2012	<u>146</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 3/27/2012. Status hearing set for 4/25/2012 at 1:30 PM.Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A)(B) from 3/27/2012 to 4/25/2012. Mailed notice (drw,) (Entered: 04/19/2012)
03/29/2012	<u>129</u>	MOTION by USA to strike as to Daniel Spitzer, Alfred Gerebizza (Murphy, Madeleine) (Entered: 03/29/2012)
03/29/2012	<u>130</u>	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of motion to strike <u>129</u> before Honorable James B. Zagel on 4/5/2012 at 10:15 AM. (Murphy, Madeleine) (Entered: 03/29/2012)

03/29/2012	131	MOTION by USA for protective order as to Daniel Spitzer, Alfred Gerebizza (Murphy, Madeleine) (Entered: 03/29/2012)
03/29/2012	132	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of motion for protective order 131 before Honorable James B. Zagel on 4/5/2012 at 10:15 AM. (Murphy, Madeleine) (Entered: 03/29/2012)
03/29/2012	133	MOTION by USA early return of trial subpoenas as to Daniel Spitzer, Alfred Gerebizza (Murphy, Madeleine) (Entered: 03/29/2012)
03/29/2012	134	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of (Murphy, Madeleine) (Entered: 03/29/2012)
04/04/2012	 135	TRANSCRIPT OF PROCEEDINGS as to Alfred Gerebizza held on December 13, 2011, before the Honorable James B. Zagel. Court Reporter Contact Information: Blanca I. Lara, 219 South Dearborn, Room 2504, Chicago, Illinois, blanca_lara@ilnd.uscourts.gov, 312 435-5895.<P>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P> Redaction Request due 4/25/2012. Redacted Transcript Deadline set for 5/7/2012. Release of Transcript Restriction set for 7/3/2012. (Lara, Blanca) (Entered: 04/04/2012)
04/04/2012	 136	TRANSCRIPT OF PROCEEDINGS as to Alfred Gerebizza held on November 3, 2011, before the Honorable James B. Zagel. Court Reporter Contact Information: Blanca I. Lara, 219 South Dearborn, Room 2504, Chicago, Illinois, blanca_lara@ilnd.uscourts.gov, 312 435-5895.<P>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P> Redaction Request due 4/25/2012. Redacted Transcript Deadline set for 5/7/2012. Release of Transcript Restriction set for 7/3/2012. (Lara, Blanca) (Entered: 04/04/2012)
04/04/2012	 137	TRANSCRIPT OF PROCEEDINGS as to Alfred Gerebizza held on Decemer 1, 2011, before the Honorable James B. Zagel. Court Reporter Contact Information: Blanca I. Lara, 219 South Dearborn, Room 2504, Chicago, Illinois, blanca_lara@ilnd.uscourts.gov, 312 435-5895.<P>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at

		www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P>Redaction Request due 4/25/2012. Redacted Transcript Deadline set for 5/7/2012. Release of Transcript Restriction set for 7/3/2012. (Lara, Blanca) (Entered: 04/04/2012)
04/04/2012	<u>138</u>	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of motion for miscellaneous relief <u>133</u> before Honorable James B. Zagel on 4/17/2012 at 10:15 AM. (Murphy, Madeleine) (Entered: 04/04/2012)
04/04/2012	<u>139</u>	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of motion to strike <u>129</u> before Honorable James B. Zagel on 4/17/2012 at 10:15 AM. (Murphy, Madeleine) (Entered: 04/04/2012)
04/04/2012	<u>140</u>	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of motion for protective order <u>131</u> before Honorable James B. Zagel on 4/17/2012 at 10:15 AM. (Murphy, Madeleine) (Entered: 04/04/2012)
04/06/2012	<u>141</u>	TRANSMITTED supplemental record on appeal as to Alfred Gerebizza consisting of three volumes of transcripts sent in pdf format via email. (las,) (Entered: 04/06/2012)
04/12/2012	<u>142</u>	ORDER of USCA (certified copy) as to Alfred Gerebizza. Motion for release filed by defendant is denied. For further details see order. Mailed notice. (las,) (Entered: 04/13/2012)
04/15/2012	<u>143</u>	MOTION by Alfred Gerebizza (for interim vouchers) (Attachment) (Camarena, Paul) . (Entered: 04/15/2012)
04/15/2012	<u>144</u>	NOTICE of Motion by Paul Camarena for presentment of motion for miscellaneous relief <u>143</u> before Honorable James B. Zagel on 4/17/2012 at 10:15 AM. (Camarena, Paul) (Entered: 04/15/2012)
04/17/2012	<u>147</u>	NOTICE of Amended filing authenticated foreign judgment record and notice of filing original certificate of authentication of notary as to Alfred Gerebizza (Exhibits). (las,) (Entered: 04/23/2012)
04/17/2012	<u>148</u>	NOTICE of Amended filing authenticated foreign judgment record and notice of filing original certificate of authentication of notary as to Alfred Gerebizza (Exhibits) (las,) (Entered: 04/23/2012)
04/17/2012	<u>150</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, motion hearing held on 4/17/2012. Motion to exclude time pursuant to the Speedy Trial Act <u>128</u> is granted. Motion to strike Pro Se pleadings numbered 116, 121, 123, 124, 126, 127, 147 and 148 <u>129</u> is granted. Motion for protective order <u>131</u> is granted. Motion for early return of trial subpoenas <u>133</u> is granted. Motion for interim voucher payment <u>143</u> is granted. Order time excluded pursuant to 18:3161(h)(8) beginning 3/26/2012 to 3/26/2013.Mailed notice (drw,) (Entered: 05/02/2012)
04/25/2012	<u>152</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing set for 6/28/2012 at 10:00 AM. Status hearing held on 4/25/2012. Order time excluded in the interest of justice pursuant

		to 18:3161(h)(7)(A)(8) from 4/24/2012 to 6/28/2012. Mailed notice (drw,) (Entered: 05/03/2012)
05/04/2012	<u>154</u>	NO APPEAL record to be returned as to Alfred Gerebizza. (las,) (Entered: 05/07/2012)
06/20/2012	<u>155</u>	NOTICE of mistake of omission to file 1099A and 1096 as to Alfred Gerebizza (las,) (Entered: 06/22/2012)
06/27/2012	<u>157</u>	MOTION by USALeave to Depose Isaac Legair Pursuant to Fed.R.Crim.P. 15 as to Daniel Spitzer, Alfred Gerebizza (Murphy, Madeleine) (Entered: 06/27/2012)
06/28/2012	<u>158</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 6/28/2012. Status hearing set for 7/25/2012 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 6/28/2012 to 7/25/2012. Mailed notice (drw,) (Entered: 07/10/2012)
07/02/2012	<u>159</u>	MINUTE entry before the Honorable James B. Zagel as to Alfred Gerebizza: Enter memorandum to counsel appointed under the Criminal Justice Act regarding interim payments under the Criminal Justice Act. Mailed notice (las,) (Entered: 07/17/2012)
07/02/2012	<u>160</u>	MEMORANDUM to Counsel Appointed Under the Criminal Justice Act Regarding Interim Payments Under the Criminal Justice Act as to Alfred Gerebizza Signed by the Honorable James B. Zagel on 6/7/12. Signed by the Chief Judge of the United States Court of Appeals for the Seventh Circuit on 7/2/12. (las,) (Entered: 07/17/2012)
07/24/2012	<u>161</u>	MOTION by USAFOR A HEARING REGARDING GEREBIZZAS PRESENCE AT THE PROPOSED RULE 15 DEPOSITION OF ISAAC LEGAIR as to Daniel Spitzer, Alfred Gerebizza (Attachments: # <u>1</u> Exhibit A)(Murphy, Madeleine) (Entered: 07/24/2012)
07/24/2012	<u>162</u>	ORDER of USCA as to Alfred Gerebizza regarding notice of appeal <u>108</u> . It is ordered that the motion for appointment of counsel is granted, and attorney Camarena is appointed under the provisions of the Criminal Justice Act to represent defendant-appellant Alfred Robert Gerebizza in this appeal effective January 10, 2012. For further details see order. Mailed notice. (las,) (Entered: 07/25/2012)
07/25/2012	<u>163</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 7/25/2012. Status hearing set for 8/8/2012 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 7/25/2012 to 8/8/2012. Mailed notice (drw,) (Entered: 08/06/2012)
08/08/2012	<u>164</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 8/8/2012. Rule 15 deposition brief to be filed by the Government. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 8/8/2012 to 9/6/2012. Status hearing set for 9/6/2012 at 10:00 AM.) Mailed notice (drw,) (Entered: 08/08/2012)

		08/08/2012)
08/31/2012	169	Position Paper by USA as to Daniel Spitzer, Alfred Gerebizza (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Murphy, Madeleine) (Entered: 08/31/2012)
09/06/2012	170	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 9/6/2012. Position paper response due by 9/14/2012. Status hearing set for 9/17/2012 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 9/6/2012 to 9/17/2012. Mailed notice (drw,) (Entered: 09/06/2012)
09/14/2012	172	Position Paper by Alfred Gerebizza (Camarena, Paul) (Entered: 09/14/2012)
09/14/2012	173	MOTION by Alfred Gerebizza (Position Paper) (Camarena, Paul) (Entered: 09/14/2012)
09/14/2012	174	NOTICE of Motion by Paul Camarena for presentment of motion for miscellaneous relief 173 before Honorable James B. Zagel on 9/17/2012 at 10:00 AM. (Camarena, Paul) (Entered: 09/14/2012)
09/17/2012	176	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing reset for 9/20/2012 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 9/17/2012 to 9/20/2012. Mailed notice (drw,) (Entered: 09/18/2012)
09/20/2012	177	MINUTE entry before the Honorable James B. Zagel as to Daniel Spitzer, Alfred Gerebizza: Status hearing held and continued to 10/9/2012 at 10:00 a.m. Defendant Daniel Spitzer's presence is waived. Defendant Alfred Gerebizza did not appear in court. Ruling on government's motion for a hearing 161 is set for 10/9/2012 at 10:00 a.m. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 9/20/2012 to 10/9/2012. Mailed notice (meg,) (Entered: 09/20/2012)
10/02/2012	178	NOTICE of tender of full payment by Alfred Gerebizza (Exhibit) (las,) (Entered: 10/04/2012)
10/09/2012	181	MINUTE entry before the Honorable James B. Zagel:As to Daniel Spitzer and Alfred Gerebizza, motion hearing held on 10/9/2012. Motion to depose Isaac Legair pursuant to FRCrP 15 157 is granted. Motion for hearing regarding Gerebizza's presence at the proposed Rule 15 deposition of Isaac Legar 161 is granted. Rule 15 deposition date to be determined. Mailed notice (drw,) (Entered: 10/29/2012)
10/25/2012	179	MOTION by USA REGARDING THE VIDEO LINK TO THE as to Daniel Spitzer, Alfred Gerebizza (Murphy, Madeleine) (Entered: 10/25/2012)
10/25/2012	180	NOTICE of Motion by Madeleine Sullivan Murphy for presentment of motion for miscellaneous relief 179 before Honorable James B. Zagel on 10/30/2012 at 10:15 AM. (Murphy, Madeleine) (Entered: 10/25/2012)
10/29/2012	182	MINUTE entry before the Honorable James B. Zagel:As to Daniel

		Spitzer, Alfred Gerebizza, notice of motion hearing before Judge James B. Zagel on 10/30/2012 at 10:15 is stricken. Government's motion regarding the video link to the Rule 15 deposition of Isaac Legair hearing is reset for 10/30/2012 at 9:30 AM before the Honorable Charles P. Kocoras in courtroom 1719. Mailed notice (drw,) (Entered: 10/29/2012)
10/30/2012	<u>183</u>	MINUTE entry before the Honorable Charles P. Kocoras:As to defendants Daniel Spitzer (1) and Alfred Gerebizza (2): Motion hearing held on 10/30/2012 on Government's motion (Doc <u>179</u>) regarding the video link to the Rule 15 deposition of Isaac Legair. The Court is informed that defendant Gerebizza refused to appear for said motion. The Government's motion is entered and continued to 11/1/2012 at 9:30 a.m. before Judge Kocoras in Courtroom 1719. The U.S. Marshals Service is ordered to bring Alfred Gerebizza before Judge Kocoras on 11/1/2012 at 9:30 a.m. in Courtroom 1719, even if Mr. Gerebizza refuses to appear. The Clerk of Court is directed to transmit certified copies of this order to the U.S. Marshals Service. Mailed notice (sct,) (Entered: 10/30/2012)
11/01/2012	<u>184</u>	MINUTE entry before the Honorable Charles P. Kocoras:As to defendants Daniel Spitzer (1) and Alfred Gerebizza (2): Motion hearing held on 11/1/2012. Government's motion (Doc <u>179</u>) regarding the video link to the Rule 15 deposition of Isaac Legair is granted. Defendant Gerebizza informed of his rights. Defendant Gerebizza declines to attend or participate in said video link to the Rule 15 deposition of Isaac Legair. Mailed notice (sct,) (Entered: 11/01/2012)
11/28/2012	<u>188</u>	MINUTE entry before the Honorable James B. Zagel:As to Alfred Gerebizza, status hearing held on 11/28/2012/ Status hearing set for 2/1/2013 at 10:00 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 11/28/2012 to 2/1/2013. Mailed notice (drw,) (Entered: 12/11/2012)
12/21/2012	<u>189</u>	PRIVATE INDEMNITY Bond as to Alfred Gerebizza (RESTRICTED). (yap,) (Entered: 12/27/2012)
02/01/2013	<u>191</u>	MINUTE entry before the Honorable James B. Zagel:As to Daniel Spitzer, Alfred Gerebizza, status hearing held on 2/1/2013. Status hearing set for 4/2/2013 at 9:15 AM. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 1/31/2013 to 4/2/2013. Mailed notice (drw,) (Entered: 02/03/2013)
04/02/2013	<u>192</u>	MINUTE entry before the Honorable James B. Zagel as to Daniel Spitzer, Alfred Gerebizza: The presence of both Defendants was waived. Status hearing held. Counsel are awaiting additional information. Status hearing set for 4/23/13 at 9:15 a.m. Pretrial conference set for 1/2/14 at 4:30 p.m. Trial set for 1/6/14 at 10:30 a.m. Order time excluded in the interests of justice pursuant to 18:3161(h)(7)(A) from 4/2/13 to 4/23/13. Mailed notice (las,) (Entered: 04/04/2013)
04/02/2013	<u>193</u>	MINUTE entry before the Honorable James B. Zagel as to Alfred Gerebizza: Enter Order. Mailed notice (las,) (Entered: 04/05/2013)
04/02/2013	<u>194</u>	ORDER as to Alfred Gerebizza Signed by the Honorable James B. Zagel

		on 4/2/13. (las,) (Entered: 04/05/2013)
04/23/2013	<u>195</u>	MINUTE entry before the Honorable James B. Zagel as to Daniel Spitzer, Alfred Gerebizza: Status hearing held. Status hearing set for 5/30/13 at 9:15 a.m. Order time excluded in the interest of justice pursuant to 18:3161 (h)(7)(A) from 4/23/13 to 5/30/13. Mailed notice (las,) (Entered: 04/26/2013)
05/30/2013	<u>197</u>	MINUTE entry before the Honorable James B. Zage as to Alfred Gerebizza: Status hearing held. Defendant refused to appear. Status hearing set for 6/10/13 at 9:15 a.m. Co-defendant is not required to appear. Order time excluded in the interest of justice pursuant to 18:3161 (h)(7)(A) from 5/30/13 to 6/10/13. Mailed notice (las,) (Entered: 06/04/2013)
06/10/2013	<u>198</u>	MINUTE entry before the Honorable James B. Zagel as to Alfred Gerebizza: Status hearing held. Defendant failed to appear. The Court excused Defendant's presence at this hearing. Defendant's counsel reported that he is in the process of reviewing discovery. Status hearing set for 8/1/13 at 9:15 a.m. The U.S. Marshal is directed to produce Defendant for the next status hearing on 8/1/13. The Clerk is directed to transmit a certified copy of this order to the U.S. Marshal. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 6/10/13 to 8/1/13. Mailed notice (las,) (Entered: 06/11/2013)
06/10/2013	<u>199</u>	MINUTE entry before the Honorable James B. Zagel as to Alfred Gerebizza: Enter Order retroactively appointing Attorney Thomas A. Mcgettrick as co-counsel for Defendant Alfred Gerebizza (2) from 10/27/12 until 11/7/12 at a rate of \$80.00 per hour. Mailed notice (las,) (Entered: 06/24/2013)
06/10/2013	<u>200</u>	ORDER as to Alfred Gerebizza Signed by the Honorable James B. Zagel on 6/10/13. (las,) (Entered: 06/24/2013)
08/01/2013	<u>201</u>	ORDER as to Daniel Spitzer, Alfred Gerebizza: Status hearing held. Defendant Spitzer's presence is waived at the next status hearing. Status hearing set for 8/15/13 at 9:15 a.m. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 8/1/13 to 8/15/13. The U.S. Marshal Service is directed to use reasonable force to bring Defendant Alfred Gerebizza(inmate# 63188019) to the court hearing in courtroom 2503 on 8/15/13, even if Defendant refuses. The Clerk is directed to transmit a copy of this order to the U.S. Marshal. Signed by the Honorable James B. Zagel on 8/1/13. (las,) (Entered: 08/09/2013)
08/15/2013	202	MINUTE entry before the Honorable James B. Zagel: As to Defendants Daniel Spitzer (1) and Alfred Gerebizza (2): Status hearing held. Defendant Spitzer's presence was excused previously and Defendant Gerebizza was ordered to appear. Defendant Gerebizza refused to appear. Status hearing set for 10/1/13 at 9:15 a.m. The Court's courtroom deputy will contact the U.S. Marshal Service. The Court will enter further order if a change to the date or time of the next status hearing is necessary. Mailed notice (ep,) (Entered: 08/15/2013)

09/06/2013	<u>203</u>	RE-AFFIRMATION of Settlement and Agreement as to Alfred Gerebizza (Exhibits) (las,) (Entered: 09/10/2013)
09/09/2013	<u>204</u>	RE-AFFIRMATION by Alfred Gerebizza of settlement and agreement (Attachment). (yap,) (Entered: 09/16/2013)
09/12/2013	<u>205</u>	ORDER returned and not accepted as to Alfred Gerebizza. (las,) (Entered: 09/18/2013)
09/30/2013	<u>206</u>	MINUTE entry before the Honorable James B. Zagel: As to Defendants Daniel Spitzer (1) and Alfred Gerebizza (2): At the Court's instance, the status hearing set for 10/1/13 is stricken. Status hearing reset to 10/2/13 at 12:00 p.m. Defendant Spitzer's presence is excused and Defendant Gerebizza is ordered to appear. The U.S. Marshal Service is directed to use reasonable force to bring Defendant Alfred Gerebizza (inmate# 63188019) to the court hearing in courtroom 2503 on 10/2/13, even if Defendant refuses. The Clerk is directed to transmit a copy of this order to the U.S. Marshal. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 9/30/13 to 10/2/13. Mailed notice (ep,) (Entered: 09/30/2013)
10/02/2013	<u>207</u>	MINUTE entry before the Honorable James B. Zagel: As to Defendants Daniel Spitzer (1) and Alfred Gerebizza (2): Status hearing held. Status hearing continued to 1/6/14 at 9:15 a.m. Trial set to begin on 1/6/14 is stricken and reset to 5/27/14 at 10:30 a.m. Pretrial conference previously set for 1/2/14 is stricken and reset to 5/19/14 at 4:00 p.m. The Court has received communication from Pretrial Services regarding Defendant Spitzer's compliance with the Order Setting Conditions of Release. In light of Defendant Spitzer's compliance, his oral motion to travel to Wisconsin as discussed in open court, is granted. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 10/2/13 to 1/6/14. Mailed notice (ep,) (Entered: 10/03/2013)
10/18/2013	<u>208</u>	DECLARATION of fact and preemptory rebuttal as to Alfred Gerebizza (meg,) (Entered: 10/23/2013)
10/22/2013	<u>209</u>	NOTICE of default as to Alfred Gerebizza (Exhibits) (las,) (Entered: 10/24/2013)
01/03/2014	<u>210</u>	MINUTE entry before the Honorable James B. Zagel: As to Defendants Daniel Spitzer and Alfred Gerebizza: At the Court's instance, the status hearing set for 1/6/14 is stricken and reset to 1/10/14 at 11:00 a.m. Mailed notice (ep,) (Entered: 01/03/2014)
01/10/2014	<u>211</u>	MINUTE entry before the Honorable James B. Zagel: As to Defendants Daniel Spitzer (1) and Alfred Gerebizza (2): Status hearing held. Defendant Gerebizza requested an additional hearing to address the court. Further hearing set for 1/27/14 at 3:00 p.m. Status hearing set for 3/27/14 at 9:15 a.m. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 1/10/14 to 5/27/14. Mailed notice (ep,) (Entered: 01/13/2014)
01/13/2014	<u>212</u>	WRIT of Replevin/Claim and Delivery by Alfred Gerebizza

		(Attachments: # 1 Exhibits, # 2 Exhibits)(las,) (Entered: 01/16/2014)
01/16/2014	213	ATTORNEY Designation for USA of Jessica Romero (Romero, Jessica) (Entered: 01/16/2014)
01/16/2014	214	CERTIFICATE of Service by Jessica Romero on behalf of USA regarding notice of attorney designation - USA 213 (Romero, Jessica) (Entered: 01/16/2014)
01/21/2014	215	LETTER from Alfred Gerebizza dated 1/18/14. (las,) (Entered: 01/27/2014)
01/23/2014	216	WRIT of replevin/claim and delivery as to Alfred Gerebizza (Attachments: # 1 Exhibit)(las,) (Entered: 01/29/2014)
01/27/2014	217	MINUTE entry before the Honorable James B. Zagel: As to Defendants Daniel Spitzer (1) and Alfred Gerebizza (2): Status hearing held. Defendant Gerebizza's Writ of Replevin is denied for the reasons stated on the record. Oral motion to remove the restriction on Defendant's Private Indemnity Bond 189 is granted. The Clerk is directed to remove the restriction on document no. 189. Pretrial conference set for 5/19/14 is stricken and reset to 6/30/14 at 3:30 p.m. Trial set for 5/27/14 is stricken and reset to begin on 7/14/14 at 10:30 a.m. Status hearing set for 3/27/14 is stricken and reset to 6/12/14 at 12:00 p.m. Order time excluded in the interest of justice pursuant to 18:3161(h)(7)(A) from 1/27/14 to 7/14/14. Mailed notice (ep,) (Entered: 01/31/2014)
02/11/2014	218	NOTICE OF APPEAL by Alfred Gerebizza regarding 217 . (Fee waived) (kj,) (Entered: 02/12/2014)
02/12/2014	219	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal 218 . (kj,) (Entered: 02/12/2014)